

**REMARKS**

Claims 1-22 are all the claims pending in this application.

**I. Claim Rejections - 35 U.S.C. § 102**

The Examiner rejected claim 11 under 35 U.S.C. 102(b) as allegedly being anticipated by Yoshino (JP 2001-117743a).

The Examiner indicated that the cartridge in Yoshino “has a storage element 112 that stores the recycling information in the form of an address.” (Office Action, page 2). With regard to the Abstract of Yoshino, it appears the Examiner presumed that the manufacturer/seller collects his ink cartridges, and that the manufacturer/seller information is “recycling information”. Applicant traverses.

Claim 11 requires:

a storage element that stores recycling information of said cartridge;

The problem to be solved in Yoshino is to “enable a user to select a suitable cartridge or correct the cartridge the set contents of printing in accordance with the cartridge information on an item exerting influence to printing quality by providing the cartridge information information to the user.” (Abstract of Yoshino).

Further, the Abstract of Yoshino describes an “In cartridge information display constitution capable of displaying information read out from storage parts of respective IC chips on a display 22 of a computer 2 when ink cartridge 111, 112 provided with IC chips 1111, 1121 respectively are loaded on a printer 1, cartridge information to be displayed on the display 22 includes at least one of manufacturer/seller information, manufacturing term information,

cartridge type information, coloring medium color information, and cartridge size information.”

(Abstract of Yoshino). That is, the IC chip provided on the ink cartridge stores manufacturer/seller information for assisting a user when printing. The user is able to set printing parameters based on the manufacturer’s stored information.

The manufacturer/seller information in Yoshino includes information on the manufacturer (Yoshino, paragraphs [0028] to [0031]), and the manufacturer is, for example, “△△△ company” as shown in Fig. 8. Yoshino also describes that “manufacturer [information] is important information for [the] user to achieve more favorable outputting condition of printing”. (Yoshino, paragraph, [0031]). That is, Yoshino teaches using information on the manufacturer for the purpose of achieving a favorable printing condition. Yoshino fails to teach, describe, or suggest using the information about a manufacturer as “recycling information”.

Applicant submits that the Examiner’s interpretation of Yoshino disclosing “a storage element that stores recycling information of said cartridge” is a misinterpretation, and that any rejections based on this presumption should be withdrawn. In other words, Yoshino does not teach or suggest what the Examiner relied upon it as supposedly teachings.

Applicant therefore respectfully requests the Examiner to withdraw this rejection of claim 11 and all rejections based upon Yoshino.

## **II. Claim Rejections - 35 U.S.C. § 103**

### **A. Claims 1, 5, 7, 13, 17, and 18**

The Examiner rejected claims 1, 5, 7, 13, 17, and 18 under 35 U.S.C. § 103 as allegedly being unpatentable over Yoshino in view of Nagata. Applicant traverses.

Of the rejected claims, claims 1 and 13 are the only independent claims.

Claim 1 requires:

A cartridge recycling information apparatus that gives cartridge recycling information, said cartridge recycling information apparatus comprising:

a cartridge having a storage element that stores recycling information of the cartridge;

an output timing specification module that specifies an output timing of the recycling information; and

a recycling information output module that outputs the recycling information stored in the storage element at the output timing of the recycling information specified by said output timing specification module.

Claim 13 requires:

A cartridge recycling information method that utilizes a cartridge having a storage element that stores recycling information of the cartridge and causes a computer to output recycling information, said cartridge recycling information method comprising the steps of:

(a) causing said computer to specify an output timing of the recycling information; and

(b) causing said computer to output the recycling information stored in the storage element at the output timing of the recycling information specified in said step (a).

For the reasons discussed above for claim 11, Yoshino fails to teach or suggest the subject matter of independent claims 1 and 13, too. The teachings of Yoshino are not directed toward “a cartridge having a storage element that stores recycling information.” Once more, Applicant submits that Yoshino does not teach or suggest what the Examiner relies upon it as supposedly teachings. Therefore, Yoshino would not teach or suggest the subject matter of independent claims 1 and 13.

Also, the Examiner applied Nagata for its teaching regarding “an output timing specification that outputs supplier information at the end of the life of the cartridge”. (Office

Action, page 3). Nagata does not compensate for the deficiencies of Yoshino. Even combined, the combined teachings of Yoshino and Nagata would not render unpatentable the subject matter of claims 1 and 13.

Applicant therefore respectfully requests the Examiner to withdraw this rejection of claims 1, 5, 7, 13, 17, and 18.

B. Claim 4 and 16

The Examiner rejected claims 4 and 16 under 35 U.S.C. § 103 as allegedly being unpatentable over Yoshino in view of Nagata as applied to the claims above, and further in view of Uchiyama (6, 473, 572). The Examiner indicated the Uchiyama teaches “storing environmental data in the cartridge memory”. (Office Action, page 4).

Nevertheless, Uchiyama does not compensate for the deficiencies of Yoshino and Nagata vis-à-vis base claims 1 and 13. Even the combined teachings of Yoshino, Nagata, and Uchiyama do not render unpatentable the subject matter of claims 1 and 13. Thus, Applicant respectfully requests the Examiner to withdraw this rejection of dependent claims 4 and 16.

C. Claim 12

The Examiner rejected claim 12 under 35 U.S.C. § 103 as allegedly being unpatentable over Yoshino in view of Nagata as applied to the claims above, and further in view of Toyoshima (JP 10-198236). The Examiner indicated that “Toyoshima teaches storing the frequencies of reuse of a cartridge.” (Office Action, page 4).

Toyoshima does not compensate for the deficiencies of Yoshino and Nagata vis-à-vis base claim 11, as discussed above. Even combined, the teachings of Yoshino, Nagata, and

Toyoshima do not render unpatentable the subject matter of claim 11. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection of dependent claim 12.

**III. Allowable Subject Matter**


The Examiner indicated that claims 2-3, 6, 8-10, 14-15, and 19-22 are allowable if rewritten in independent form. Applicant has not rewritten the objected to claims in independent form, as Applicant believes that the present response should place this application in condition for allowance.

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
\_\_\_\_\_  
Kelly G. Hyndman  
Registration No. 39,234

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: July 26, 2005